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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,928	03/31/2001	John T. Orchard	15685P096	7550

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BERKELEY LAW & TECHNOLOGY GROUP, LLP
17933 NW Evergreen Parkway, Suite 250
BEAVERTON, OR 97006

EXAMINER

NGO, CHUONG D

ART UNIT	PAPER NUMBER
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2193

MAIL DATE	DELIVERY MODE
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10/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/823,928

Applicant(s)

ORCHARD, JOHN T.

Examiner

Chuong D. Ngo

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,5,7-17,20 and 22-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,5,7-17,20,22-32 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 34-37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 34 is indefinite as being a dependent of itself. It appear to be a dependent of claim 33.

As per claim 35, the recitation "a hybrid summing module" is indefinite as its limitation unclear.

2. Claims 2,5,7-17, and 20,22-32 and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Grisamore (6,535,901) in view of Yamazaki et al. (7,706,211).

As per claims 2,11,12,14-17,26,27 and 29-32 and 35, Grisamore discloses in figures 5 a method for implementing a Wallace-architecture in which input terms are analyzed on a bit-wise basis (see the bridging paragraph of cols. 4 and 5, where each level of bit significance is a column of bit) to segment each level of bit significance of input terms into one or more-groups of three bits (circled three dots), and/or one or more groups of two bits (circled two dot and/or one or more group of one bit (non-circled dots). Full-adders (3-dot circle) and half adders (2-dot circle) are selected to perform Boolean functions on 3-bit groups and 2-bit groups, respectively. The number of adders are clearly depend on a bit-wise analysis of the input terms within each level of bit-significance as claimed (see the bridging paragraph of cols. 4 and 5). Grisamore also discloses in figures 1 a multi-input adder (18), and Figures 8 and 9 also suggest selecting atomic

Art Unit: 2193

elements of a dedicated logic device to implement the Wallace-architecture of full-adders and half-adders, and selecting atomic elements to implement control logic configured to dynamically reallocate the atomic elements implementing the Wallace-architecture of full-adders, half-adders in response to a subsequent analysis of the input terms on a bit-wise basis as claimed. It is noted that Grisamore does not teach registers in figure 5. However, Grisamore discloses in col.1, lines 33-40 that it is known in the art to use registers at optimal points in a multiplier to enable pipelined processing which provides a high through put multiply accumulate circuit. Further Yamazaki et al. disclosed in figure 2 and 5 a multiplier having register placed at optimal point in the multiplier for enabling pipeline processing to multiply data at a high data rate (see col.1, lines 13-42). Thus it would have been obvious to a person of ordinary skill in the art to provides the Wallace-architecture of Grisamore with registers at optimal points in the architecture to enable pipelined processing in order to increase the through put of circuit and to process data at a high data rate. The memory 16 in figure 1 would have been thus a part of pipelined registers.

As per claims 13,20,22-25 and 28, since it is well know in the art to implement a multiplier by a FPGA (see the cited references), it would have been obvious to a person of ordinary skill in the art, as a matter of design choice, to implement the multiplier by a FPGA as claimed.

3. Claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2193

4. Applicant's arguments filed on 08/13/2007 have been fully considered but they are not persuasive because the claimed feature of selecting atomic elements of a dedicated logic device to implement the Wallace-architecture of full-adders and half-adders, and selecting atomic elements to implement control logic configured to dynamically reallocate the atomic elements implementing the Wallace-architecture of full-adders, half-adders in response to a subsequent analysis of the input terms on a bit-wise basis are also suggested by Figures 8 and 9 of Grisamore. Further, The combinations of Grisamore and Yamazaki et al. as set forth above would obviously result in the multi-bit adder 18 of Grisamore a part of the Wallace-architecture since they are connected together.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2193

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong D. Ngo whose telephone number is (571) 272-3731. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10/29/2007

/Chuong D Ngo/
Primary Examiner
Art Unit 2193